

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1099 be amended to read as follows:

- 1           Page 12, between lines 8 and 9, begin a new paragraph and insert:  
2           SECTION 7. IC 22-11-14-8.5 IS ADDED TO THE INDIANA  
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2006]: **Sec. 8.5. (a) A retailer who sells**  
5 **fireworks, novelties, or trick noisemakers to a person less than**  
6 **eighteen (18) years of age commits a Class C infraction.**  
7           **(b) A person less than eighteen (18) years of age who**  
8 **purchases fireworks, novelties, or trick noisemakers commits a**  
9 **Class C infraction.**  
10          **(c) A person who:**  
11           **(1) is not:**  
12               **(A) a retailer that has been issued a permit to sell**  
13 **fireworks, novelties, or trick noisemakers under**  
14 **section 7 of this chapter; or**  
15               **(B) a retailer that is:**  
16                   **(i) subject to state gross retail taxes under IC 6-2.5;**  
17                   **and**  
18                   **(ii) selling fireworks, novelties, or trick noisemakers**  
19 **from a structure permanently fixed to real property**  
20 **used by the retailer to engage in retail transactions;**  
21 **and**  
22               **(2) purchases fireworks, novelties, or trick noisemakers**  
23 **for resale to a person less than eighteen (18) years of age;**  
24 **commits a Class C infraction.**  
25          **(d) It is a defense under subsections (a) and (c) that a person**

1       **less than eighteen (18) years of age produced:**  
2               **(1) a driver's license; or**  
3               **(2) an identification card issued under IC 9-24-16;**  
4       **bearing a photograph or computerized image of the person and**  
5       **showing that the person was at least eighteen (18) years of age.**  
6       Renumber all SECTIONS consecutively.  
      (Reference is to HB 1099 as printed January 27, 2006.)

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Representative THOMPSON